IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No. 3095 of 2006
Date of decision: 09.03.2007

Hakam Chand **..... Petitioner.**

Versus

Mohan Lal **..... Respondent.**

CORAM: HON'BLE MR. JUSTICE M.M. AGGARWAL

Present:- Mr. Santosh Kumar , Advocate
for the petitioner.

None for the respondent.

M.M.AGGARWAL, J. (ORAL)

This is a petition against the order dated 21.03.2006 of District Judge, Ferozepur whereby the suit filed by the petitioner had been withdrawn from the Court of Additional Civil Judge (Senior Division), Jalalabad and had been transferred to Civil Judge (Senior Division), Ferozepur.

The property in question regarding which the suit was filed, was situated in village Jiwan Arain. According to the defendant, now petitioner, Ferozepur is 45 KMs from village Jiwan Arain whereas Jalalabad is 10 KMs from the said village which now falls within the jurisdiction of Jalalabad Courts.

The District Judge appears to have passed the impugned order in view of the letter/instructions of the High Court dated 28.01.2005 and 1.08.2005 to the effect that till second Court is established at Jalalabad,

case of Guru Har Sahai, Sub tehsil shall continue at Ferozepur.

In this case, plaintiff-respondent has not appeared to contest the matter despite service.

Since there is a Court at Jalalabad and Jalalabad is closer to village Jiwan Arain than Ferozepur, this petition is allowed and is directed that the case shall be tried in Jalalabad Court. It is also directed that the record of concerned case be sent to the court at Jalalabad.

March 09, 2007 **(M.M. AGGARWAL)**
Dinesh **JUDGE**